THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.2685 of 2005

09.11.2005

Between:

P.Rajeswari, W/o.P.Apparao

… Petitioner

AND

1. The District Collector, Visakhapatnam

and others

… Respondents

ORDER:

The petitioner is wife of one P.Appa Rao. She allegedly encroached upon government land in Survey No.438/12 (Acs.1.80), Survey No.459/4 (Acs.0.52), Survey No.438/2 (Acs.0.27) and Survey No.437 (Acs.0.40). When there was interference by others, she appears to have filed a suit being O.S.No.38 of 1993 and obtained decree for perpetual injunction. The appeal filed by defendants therein was also dismissed. The petitioner made an application on 05.6.2004 to the Mandal Revenue Officer, for grant of patta. After considering the same, by endorsement dated 11.12.2004, the Mandal Revenue Officer informed the petitioner that her husband Appa Rao was already assigned government land and that the land in respect of which she claims patta was already granted to the other persons. Therefore, she was informed that the land she claims is in dispute and necessary action would be taken after the dispute is resolved.

Heard the learned Counsel for the petitioner and learned Assistant Government Pleader for Revenue (General).

It is not denied before this Court that under Board Standing Order 15, if the Mandal Revenue Officer declines to grant patta to a person, who is allegedly in possession of the land, appeal lies to next higher revenue officer i.e., the Revenue Divisional Officer and thereafter revision is available to the Joint Collector. The petitioner approached this Court without availing all these remedies. Therefore, this Court is not inclined to admit the writ petition. If so advised, the petitioner may appeal before the Revenue Divisional Officer within a period of two weeks from the date of receipt of a copy of this order.

The writ petition, with the above observations, is dismissed. No costs.

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(**V.V.S. RAO,J**)

November 09, 2005

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